

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN FITZGERALD WILLIS,                      No C-09-2426 VRW (PR)  
Petitioner,  
v  
A HEDGEPEETH, Warden,                      ORDER OF DISMISSAL  
Respondent.

On May 28, 2009, petitioner, a state prisoner at Kern Valley State Prison in Delano, California, filed a pro se petition for writ of habeas corpus under 28 USC section 2254, which was assigned case number C-09-2350 VRW (PR), wherein he challenges a judgment of conviction from San Mateo County superior court.

On June 1, 2009, petitioner submitted an application to proceed in forma pauperis under 28 USC section 1915, which was inadvertently filed as a new action under case number C-09-2426 VRW (PR), rather than as an application in case number C-09-2350 VRW (PR).

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1           The clerk is directed to close case number C-09-2426 VRW  
2 (PR) and to file petitioner's application to proceed in forma  
3 pauperis in case number C-09-2350 VRW (PR).

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6           IT IS SO ORDERED.

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10 VAUGHN R WALKER  
11 United States District Chief Judge  
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